

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 07-mj-48-JM

Derek Potocki

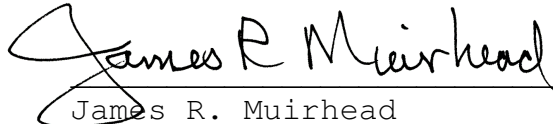
ORDER FOR COMPETENCY EXAMINATION

Defendant, detained on a bank robbery charge moves, by and through his attorney, for a mental competency examination to determine his competency to stand trial (Document no. 9). See 18 U.S.C. § 4241(a). Since his arrest about six weeks ago, defendant has attempted suicide three times. His attorney states that defendant has had serious mental issues throughout his life. AUSA Terry Ollila has no objection and assents to the motion. Based upon the facts outlined by counsel, the court finds reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to stand trial.

It is therefore **ORDERED** that the defendant shall be committed to the custody of the Attorney General for a period not to exceed thirty days for placement in a suitable facility where

an examination of the defendant's mental condition can be conducted to determine his competency to stand trial. The examining officials shall prepare a report of their findings pursuant to 18 U.S.C. § 4247(b), which report shall be filed with this court.

SO ORDERED.

A handwritten signature in black ink, reading "James R. Muirhead". The signature is written in a cursive style with a large, looping initial "J".

James R. Muirhead
United States Magistrate Judge

Date: September 20, 2007

cc: Terry L. Ollila, AUSA
Jonathan R. Saxe, Esq.
U.S. Marshal
U.S. Probation